

**19-6-811 Funding for management of certain landfill or abandoned waste tire piles --  
Limitations.**

- (1)
  - (a) A county or municipality may apply to the director for payment from the fund for costs of a waste tire transporter or recycler to remove waste tires from an abandoned waste tire pile or a landfill waste tire pile operated by a state or local governmental entity and deliver the waste tires to a recycler.
  - (b) The director may authorize a maximum reimbursement of:
    - (i) 100% of a waste tire transporter's or recycler's costs allowed under Subsection (2) to remove waste tires from an abandoned waste tire pile or landfill waste tire pile and deliver the waste tires to a recycler, if no waste tires have been added to the abandoned waste tire pile or landfill waste tire pile on or after July 1, 2001; or
    - (ii) 60% of a waste tire transporter's or recycler's costs allowed under Subsection (2) to remove waste tires from an abandoned waste tire pile or landfill waste tire pile and deliver the waste tires to a recycler, if waste tires have been added to the abandoned waste tire pile or landfill waste tire pile on or after July 1, 2001.
  - (c) The director may deny an application for payment of waste tire pile removal and delivery costs, if the director determines that payment of the costs will result in there not being sufficient money in the fund to pay expected reimbursements for recycling or beneficial use under Section 19-6-809 during the next quarter.
- (2)
  - (a) The maximum number of miles for which the director may reimburse for transportation costs incurred by a waste tire transporter under this section, is the number of miles, one way, between the location of the waste tire pile and the State Capitol Building, in Salt Lake City, Utah, or to the recycler, whichever is less.
  - (b) This maximum number of miles available for reimbursement applies regardless of the location of the recycler to which the waste tires are transported under this section.
  - (c) The director shall, upon request, advise any person preparing a bid under this section of the maximum number of miles available for reimbursement under this Subsection (2).
  - (d) The cost under this Subsection (2) shall be calculated based on the cost to transport one ton of waste tires one mile.
- (3)
  - (a) The county or municipality shall through a competitive bidding process make a good faith attempt to obtain a bid for the removal of the landfill or abandoned waste tire pile and transport to a recycler.
  - (b) The county or municipality shall submit to the director:
    - (i)
      - (A)
        - (I) a statement from the local health department stating the landfill waste tire pile is operated by a state or local governmental entity and consists solely of waste tires diverted from the landfill waste stream;
        - (II) a description of the size and location of the landfill waste tire pile; and
        - (III) landfill records showing the origin of the waste tires; or
      - (B) a statement from the local health department that the waste tire pile is abandoned; and
    - (ii)
      - (A) the bid selected by the county or municipality; or
      - (B) if no bids were received, a statement to that fact.
- (4)

- (a) If a bid is submitted, the director shall determine if the bid is reasonable, taking into consideration:
    - (i) the location and size of the landfill or abandoned waste tire pile;
    - (ii) the number and size of any other landfill or abandoned waste tire piles in the area; and
    - (iii) the current market for waste tires of the type in the landfill or abandoned waste tire pile.
  - (b) The director shall advise the county or municipality within 30 days of receipt of the bid whether or not the bid is determined to be reasonable.
- (5)
- (a) If the bid is found to be reasonable, the county or municipality may proceed to have the landfill or abandoned waste tire pile removed pursuant to the bid.
  - (b) The county or municipality shall advise the director that the landfill or abandoned waste tire pile has been removed.
- (6) The recycler or waste tire transporter that removed the landfill or abandoned waste tires pursuant to the bid shall submit to the director a copy of the manifest, which shall state:
- (a) the number or tons of waste tires transported;
  - (b) the location from which they were removed;
  - (c) the recycler to which the waste tires were delivered; and
  - (d) the amount charged by the transporter or recycler.
- (7) Upon receipt of the information required under Subsection (6), and determination that the information is complete, the director shall, within 30 days after receipt authorize the Division of Finance to reimburse the waste tire transporter or recycler the amount established under this section.

Amended by Chapter 360, 2012 General Session